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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/665,178	09/17/2003	Won-Kyu Jang	P2032US	5559
8968	7590	10/31/2007		
DRINKER BIDDLE & REATH LLP ATTN: PATENT DOCKET DEPT. 191 N. WACKER DRIVE, SUITE 3700 CHICAGO, IL 60606			EXAMINER MADDEN, GREGORY VINCENT	
			ART UNIT	PAPER NUMBER
			2622	
			MAIL DATE	DELIVERY MODE
			10/31/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action Before the Filing of an Appeal Brief	Application No. 10/665,178	Applicant(s) JANG ET AL.	
	Examiner Gregory V. Madden	Art Unit 2622	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 15 October 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See continuation sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.

CONTINUATION OF PTOL-303

Response to Arguments

Applicant's arguments filed October 15, 2007 have been fully considered but they are not persuasive.

In regard to claim 1, the Applicant argues that the Kuwayama reference does not *immediately* receive user identification information after the digital camera is turned on. Specifically, the Applicant points to step 202 shown in Fig. 4A ("Wait for instruction"), to show that Kuwayama cannot teach the claimed limitation of immediately receiving user identification information after the digital camera is turned on (See Remarks, Pg. 8). The Examiner respectfully disagrees with the Applicant's contention. Noting Col. 6, Lines 57-67, the Kuwayama reference discloses the following:

"When the user turns on the power switch 53 of the camera 10 to turn on the power (step 200), the microcomputer 52 shifts to the instruction wait state (step 202). When an instruction 418 is issued, the microcomputer 52 checks if the fingerprint capturer 102 captures fingerprint data from the fingerprint sensor 402 at the time the instruction is issued (step 204)" (emphasis added).

Turning to Col. 4, Lines 29-27, Kuwayama further teaches the following:

*"The camera 10 has on its back 301 a liquid crystal display 300 connected to a display controller 103. Under the control of the controller 103, the display 300 displays a message **prompting** a person to input an instruction to the camera 10. For example, the display 300 displays a password entry area 302 to prompt a person to input a password 418, or displays a message to prompt a person to input fingerprint data when no fingerprint is sensed by the sensor 402 at the time an instruction 418 is inputted"* (emphasis added).

Taking both of these sections into consideration, the Examiner believes that Kuwayama does in fact teach that the user identification information is received immediately after the digital camera is

Art Unit: 2622

turned on. The camera enters the instruction wait step 202 immediately after the camera is turned on, wherein the instruction to be entered is instruction 418, which is shown to be the user password for which the user is prompted on display 300. Thus, the Examiner believes that immediately after the camera is powered on, the user is prompted via display 300 to enter a password, all of this occurring during the instruction wait state (step 202). Despite the Applicant's assertions, the Examiner does not believe that the instruction wait state is simply a stand-by state, but instead is the period in which the prompt for password entry is displayed to the user, with the user subsequently enters the necessary password. Such a teaching agrees with the Applicant's specification disclosure of the user identification input step (S10).

The Applicant's specification reads, at Page 4, Lines 10-15:

"A method of inputting user identification information is described below with reference to a digital camera according to the present invention shown in Fig. 4A. When a user presses a power switch 110 to operate the digital camera, a message indicating input of user identification information, for example, "Please input four digit password", is displayed on an LCD panel 10. Then, the user inputs a password by using a manipulation unit 20" (emphasis added).

In view of this teaching, along with the claim limitation of claim 1, the Examiner believes that Kuwayama does teach that the user identification information is received immediately after the digital camera is turned on according to a command by a user. Therefore, the Applicant's arguments are not considered to be persuasive, and the final rejection is maintained.

Conclusion

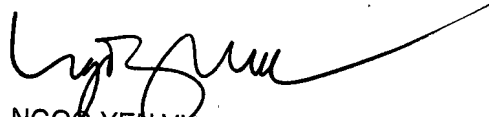
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory V. Madden whose telephone number is 571-272-8128. The examiner can normally be reached on Mon.-Fri. 8AM-5PM.

Art Unit: 2622

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ngoc Yen Vu can be reached on 571-272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Gregory Madden
October 26, 2007


NGOC-YEN VU
SUPERVISORY PATENT EXAMINER